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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/021,467      | 10/30/2001  | Michael J. Diana     | 3030-69091          | 2145             |

7590 01/16/2004

BARNES & THORNBURG  
11 South Meridian Street  
Indianapolis, IN 46204

EXAMINER

FOX, JOHN C

| ART UNIT | PAPER NUMBER |
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3753

DATE MAILED: 01/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| ART UNIT | PAPER |
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

John Fox  
Primary Examiner  
Art Unit: 3753

Serial Number: 10/021467

-2-

Art Unit: 3753

This action is responsive to the communication filed October 31, 2003.

The amendment filed on October 31, 2003 constructively cancelling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (M.P.E.P. § 821.03). The remaining claims are not readable on the elected invention because claim 1 has been amended to include the subject matter of claim 6, placing the claims in non-elected Group III.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.


Any inquiry concerning this communication should be directed to Examiner Fox at (703) 308-2595 or [John.Fox@uspto.gov](mailto:John.Fox@uspto.gov). Any inquiry of a general nature or relating to the status of this application should be

Serial Number: 10/021467

-3-

Art Unit: 3753

directed to the Group receptionist whose telephone number is (703) 308-0861. The fax number for TC 3700 is 703-872-9302. For responses after final the fax number is 703-872-9303. The Supervisory Primary Examiner for Art Unit 3753 is John Rivell who can be reached at (703) 308-2599 or at [John.Rivell@uspto.gov](mailto:John.Rivell@uspto.gov).

  
JOHN FOX  
PRIMARY EXAMINER  
ART UNIT 3753

jcf  
January 15, 2004